

## REMARKS

### I. Claim Amendment

Claim 1 has been amended to require that the filled microcups are sealed with a sealing layer formed from a sealing composition having a specific gravity lower than that of the liquid crystal composition filled in the microcups.

Claim 5 has been amended to require that the sealing layer is formed from a sealing composition having a specific gravity lower than that of the liquid crystal composition.

Claims 10 and 14 have been similarly amended.

The support for the amended Claims 1, 5, 10 and 14 can be found in Section III of the application.

Claims 13 and 18 are amended to be independent claims.

No new matter is introduced.

Applicants reserve the rights to file one or more continuation application directed to the claim scope of the non-amended claims.

### II. Claim Rejections

#### 1) Claims 1-12, 14-17 and 50-51

Claims 1-12, 14-17 and 50-51 are rejected under 35 USC 103(a) as allegedly being unpatentable over Yamanaka et al (US 6,304,309) in view of Thomas et al (US 4,798,849).

##### **Independent Claim 1:**

Yamanaka et al disclose a liquid crystal display device. The Examiner acknowledges that Yamanaka et al fails to teach that the composition disclosed comprises a liquid crystal composition. Thomas et al, on the other hand, only disclose dissolving or dispersing a liquid crystalline polymer into a bulk polymer to provide reinforcement of the bulk polymer. Thomas et al do not mention any display technologies, let alone a liquid crystal display device. There is no suggestion in the prior art that would motivate the combination of the two references. The Examiner is using impermissible hindsight, based on the teaching of this application, to pick components from each reference and intend to produce the claimed invention.

Accordingly, Applicants disagree with the Examiner's rejection of Claim 1. However, in order to expedite allowance of the present application, Claim 1 has been amended to specify that the filled microcups are sealed with a sealing layer formed from a sealing composition having a specific gravity lower than that of the liquid crystal composition filled in the microcups. This feature is neither disclosed nor suggested by any of the two references cited.

**Independent Claims 5, 10 and 14:**

The discussion of Yamanaka et al and Thomas et al above is also applicable to independent Claims 5, 10 and 14.

However, in order to expedite allowance of the present application, Claims 5, 10 and 14 have been amended to specify that the filled microcups are sealed by a sealing layer formed from a sealing composition having a specific gravity lower than that of the liquid crystal composition filled in the microcups. This feature is neither disclosed nor suggested by any of the two references cited.

**Claims Dependent From Claims 1, 5, 10 and 14:**

Since Claims 1, 5, 10 and 14 are allowable, claims dependent from these claims are also allowable.

**2) Claims 13 and 18**

Claims 13 and 18 are rejected under 35 USC 103(a) as allegedly being unpatentable over Yamanaka in view of Thomas as applied to Claims 1-12, 14-17 and 50-51 above and further in view of Schmidt (CA 2,340,683).

Claims 13 and 18 are directed to a liquid crystal display comprising two or more layers of microcups, wherein the two or more layers of microcups are arranged in a staggered manner.

The Examiner has acknowledged that Yamanaka et al fail to teach that the two or more layers of display cells are arranged in a staggered manner, Thomas et al, of course, do not disclose a liquid crystal display, let alone a liquid crystal display having two or more layers of display cells arranged in a staggered manner.

Schmidt is not a relevant reference against Claims 13 and 18. Figure 2 of Schmidt shows the top view of a display panel having rows and columns of display cells. Those rows and

columns of display cells are on the same layer; they are not on top of each other. Applicants respectfully submit that the Examiner is misled by the presentation of the top view of the display cells. It is not possible to show multi-layers (one layer on top of another) of display cells by a top view. In Examiner's cited section (page 6, lines 5-15), Schmidt only discloses the arrangement of the cavities can be square, rectangular, hexagonal, which is shown as Figure 2 by a top view. Schmidt in no place discloses a display panel having two or more layers on top of one another; wherein each layer has rows and columns of display cells.

Contrary to Schmidt, Figures 2 and 3 of the present application show a cross-section view of multiple layers of display cells, where one layer is on top of another layer.

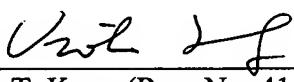
Because neither reference teaches or suggests multi-layers of display cells, the 103(a) rejection of Claims 13 and 18 should be withdrawn.

### **CONCLUSION**

Applicants believe that the application is now in good and proper condition for allowance. Early notification of allowance is earnestly solicited.

Respectfully submitted,

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